

Remarks

Applicants respectfully request reconsideration of the present application in view of the above amendments and following remarks.

Oath/Declaration

The Office Action has stated that the reissue oath/declaration filed with this application is defective because it fails to contain the statement as to the applicant's belief that the original patent is wholly or partly inoperative or invalid, the statement of inoperability is insufficient, and that the statement regarding applicant's duty to disclose information is not properly stated.

A Declaration is enclosed that corrects these deficiencies. As stated in the original Declaration, an unintentional error resulted in the improper wording of claims 1 and 6. As a result, the applicant claimed less than he had the right to claim. Claims 1 and 6 have been amended to include an invention as described in the specification.

Specification

The specification has been amended, as suggested by the Examiner, to include the additions and deletions in the specification as originally filed. Additional minor typographical errors have also been corrected. The paragraph beginning on column 3 line 29 and ending on column 3, line 51 has been amended to include the language "a first electrode being connectable to a source of electrical potential at a first polarity and a second electrode being connectable to a source of electrical potential at a second polarity." Support for this language can be found in claim 1 of the application as originally filed. No new matter has been added.

Claims

A properly marked up listing of claims, which will replace all prior versions and listings of claims in the application, has been included as suggested by the Examiner. No claims have been cancelled. Claims 1-16 are pending in the present application. The Applicant would like to thank the Examiner for stating that claims 1-16 are allowable over the prior art.

The Office Action rejects claims 1-16 under 35 U.S.C. 112 first paragraph because the specification does not provide enablement for, or a description of, a first electrode connectable to a source of electrical potential at a first polarity and a second electrode being connectable to a source of electrical potential at a second polarity. The Applicant thanks the Examiner for noting that there is support in the original claims for the polarity connections and that the original claim language may be inserted in the specifications to give support for this aspect of the invention. The specification has been so amended.

Interview Summary

The undersigned did speak by telephone with the Examiner on 12/19/2006 to request clarification concerning the reissue declaration. The undersigned was referred to and did discuss in general terms the subject of reissue declarations with Ms. Kristine Tierney.

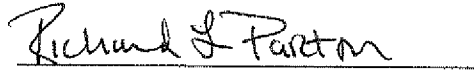
Conclusion

In light of the foregoing, Applicants submit that claims 1-16 are in condition for allowance and such allowance is respectfully requested. Should the Examiner feel that any unresolved issues remain in this case, the undersigned may be contacted at the telephone number listed below and would welcome a discussion in order to resolve such issues.

Applicants do not believe that any fee is due at this time. However, the Commissioner is hereby authorized to charge any fee that may have been overlooked to Deposit Account No. 10-0223.

Respectfully submitted,

Dated: 1/22/2006


Richard L. Parton
Reg. No. 56,578

JAECKLE FLEISCHMANN & MUGEL, LLP
190 Linden Oaks
Rochester, New York 14625-2812
Tel: (585) 899-2930
Fax: (585) 899-2931

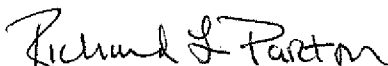
Conclusion

In light of the foregoing, Applicants submit that claims 1-16 are in condition for allowance and such allowance is respectfully requested. Should the Examiner feel that any unresolved issues remain in this case, the undersigned may be contacted at the telephone number listed below and would welcome a discussion in order to resolve such issues.

Applicants do not believe that any fee is due at this time. However, the Commissioner is hereby authorized to charge any fee that may have been overlooked to Deposit Account No. 10-0223.

Respectfully submitted,

Dated: 1/22/2006



Richard L. Parton
Reg. No. 56,578

JAECKLE FLEISCHMANN & MUGEL, LLP
190 Linden Oaks
Rochester, New York 14625-2812
Tel: (585) 899-2930
Fax: (585) 899-2931